1579 (D.C. Cir. 1993) (noting that discrimination is unlikely where "customers could readily shift to the BOC's larger competitors").

Furthermore, BellSouth has been providing exchange access services to the long distance industry for over a dozen years. Interexchange carriers can and do directly monitor BellSouth's performance, making it "likely that an IXC would detect any degradation in BellSouth's access service long before any customer could notice that degradation and attribute it to the IXC." Gilbert Aff. ¶¶ 46-47. BellSouth's interconnection arrangements with all the major interexchange carriers establish specific criteria for service quality and procedures for the interexchange carrier to monitor BellSouth's performance. Gunter Aff. ¶¶ 28-32. In addition, BellSouth is required to file various reports, of proven effectiveness, with the Commission. See Varner Aff. ¶ 219; Gilbert Aff. ¶ 48; supra pp. 61-62 (listing some required reports); see also Second Report and Order, Policy and Rules Concerning Rates for Dominant Carriers, 5 FCC Rcd 6786, 6827, ¶ 335 (1990) ("expand[ing] significantly our monitoring of service quality and infrastructure development").

The Commission recently rejected additional reporting requirements because "sufficient mechanisms already exist within the 1996 Act both to deter anticompetitive behavior and to facilitate the detection of potential violations of section 272 requirements." Non-Accounting Safeguards Order, 11 FCC Rcd at 22060-61, ¶ 321. Indeed, the Commission explained that "the reporting requirements required by the 1996 Act, those required under state law, and those that may be incorporated into interconnection agreements negotiated in good faith between BOCs and competing carriers will collectively minimize the potential for anticompetitive conduct by the

BOC and its interexchange operations. In addition to deterring potential anticompetitive behavior, these information disclosures will also facilitate detection of potential violations of the section 272 requirements." Id. at 22063-64, ¶ 327.

Suggestions that a Bell company might seek to slow-roll interexchange carriers in developing and implementing new access arrangements are equally unfounded. The 1996 Act provides that a Bell telephone operating company "may not discriminate between that company or affiliate and any other entity in the provision or procurement of goods, services, facilities, and information, or in the establishment of standards," 47 U.S.C. § 272(c)(1); must fulfill "any requests from an unaffiliated entity for telephone exchange services, and exchange access within a period no longer than the period in which it provides such telephone exchange service and exchange access to itself or to its affiliates," id. § 272(e)(1); and may not provide facilities, services, or information concerning exchange access to its long distance affiliate unless they are made available to other providers of interLATA service on the same terms and conditions, id. § 272(e)(2), (4). See Gilbert Aff. ¶¶ 42-43; Woroch Aff. ¶ 60.

Regulators should have no trouble enforcing these requirements. The Commission has explained that existing rules relating to enhanced services and customer premises equipment currently protect against analogous discrimination. Non-Accounting Safeguards NPRM, 11 FCC Rcd at 18915-16, ¶ 75. Moreover, access revenues account for one-quarter of BellSouth Telecommunications' total operating revenues, 1996 Annual Report at 20. BellSouth thus has an affirmative incentive to provide higher-quality or lower-cost access to interexchange carriers, so as to increase demand for its exchange access services and avoid the loss of access revenues that would result if interexchange carriers provided their own access services or obtained access services from a facilities-based competitor to BellSouth. See Schmalensee Aff. ¶ 45; Woroch Aff. ¶ 74 (discussing access competition in South Carolina). All that will be required in the context of new exchange access arrangements is an evolution of existing, routinized, and mutually advantageous arrangements between interexchange carriers and BellSouth, which leave no room or reason for misconduct.

e. Misuse of Confidential Information. Section 272(c)(1) prohibits a Bell company from discriminating "in the provision or procurement of goods, services, facilities, or information." The Commission has interpreted "information" in section 272(c)(1) so that it "includes, but is not limited to, CPNI and network disclosure information." Non-Accounting Safeguards Order, 11 FCC Rcd at 22010, ¶ 222. Accordingly, a Bell company must make such information available to other interexchange carriers on the same terms and conditions as its own long distance affiliate. Id.; see Woroch Aff. ¶ 69 (citing statement and agreement provisions governing confidentiality).

The Commission has explained that its "current network disclosure rules are sufficient to meet the requirement of section 272(e)(2) that BOCs disclose any 'information concerning . . . exchange access' on a nondiscriminatory basis." Non-Accounting Safeguards Order, 11 FCC Rcd at 22025, ¶ 253. Commission regulations also have long governed, and will continue to regulate, access to competitively useful information concerning particular customers. See id. at 22010, ¶ 222 (noting separate CPNI proceeding). Under the Commission's rules, for example, Bell companies must disclose CPNI to unaffiliated enhanced service providers and CPE suppliers; bar their own enhanced service sales personnel from accessing certain CPNI without customer authorization; and notify multi-line business customers of their CPNI rights each year.[59]

f. Penalties. In light of its inability to engage in cost misallocation or any form of discrimination, there simply would be no reason for BellSouth to risk the substantial penalties likely to follow such a fruitless endeavor. If BellSouth were to violate any provision of the Communications Act of 1934 it would be required to pay civil fines, 47 U.S.C. § 202(c), and would be liable to injured parties for the amount of their injuries plus attorneys' fees. 47 U.S.C. §§ 206-207. In addition, section 220(e) of the Communications Act imposes criminal penalties for false entries in the books of a common carrier — a strong deterrent against purposeful violations of the accounting requirements described above. Sections 501 through 504 provide additional penalties — including imprisonment, fines, and forfeiture — for knowing violations of any statutory or regulatory provision. Moreover, if the Commission determines that BellSouth "has ceased to meet any of the conditions required for" interLATA entry, it may revoke interLATA authority under section 271(d)(6).[60]

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59. See Report and Order, Furnishing of Customer Premises Equipment by the Bell Operating Companies and the Independent Telephone Companies, 2 FCC Rcd 143, 153 ¶ 66 (1987), on reconsideration, 3 FCC Rcd 22 (1987), petn. for review denied, Illinois Bell Telephone Co. v. FCC, 883 F.2d 104 (D.C. Cir. 1989); Computer III Remand Proceedings: Bell Operating Company Safeguards, 6 FCC Rcd 7571, 7602-14, ¶¶ 68-95 (1991).

60. The Commission has ruled that once a complainant makes a prima facie showing that a Bell company has "ceased to meet the conditions of entry," the burden shifts to the Bell company to produce evidence of its compliance. Non-Accounting Safeguards Order, 11 FCC Rcd at 22072, ¶ 345.

All of the Act's and the Commission's specific statutory and regulatory protections are backed up by federal and state antitrust laws. The weighty corporate and personal penalties (including imprisonment) that may be levied against violators of the antitrust laws, combined with the near impossibility of keeping systematic discrimination or cost-shifting secret, make it most unlikely that Bell company managers would order unlawful practices.[61]

Given its own decisions noting the strength of these protections, the Commission could hardly find them inadequate to the task in this case. Moreover, the Commission just recently determined, in approving British Telecom's acquisition of MCI, that regulations in the United Kingdom "ensure proper cost allocation, timely and nondiscriminatory disclosure of network technical information, and protection of carrier and consumer proprietary information against unauthorized disclosure," and thereby "contro[l] BT's market power" in the provision of access services. Merger of MCI Communications Corp. and British Telecommunications PLC, GN Docket No. 96-245, FCC 97-302 at ¶ 203 n.288 (rel. Sept. 24, 1997). The U.K.'s safeguards, however, are weaker than those under the Act and this Commission's regulations, see id. ¶¶ 218-223, and do not even include equal access, unbundling, or resale, id. ¶ 202. If the U.K.'s much weaker regulations and the potential for future competition are sufficient to prevent harm from BT's vertical integration with MCI, see id. ¶ 210, then the much stronger U.S. safeguards and the

[61] See, e.g., 15 U.S.C. §§ 1, 2 (Sherman Act); Antitrust Amendments Act of 1990, 15 U.S.C. § 1 (1997) (raising maximum antitrust fine for corporations from $1 million to $10 million and for individuals from $100,000 to $350,000); United States Sentencing Comm'n, Guidelines Manual § 2R1.1 (requiring prison sentences for a number of antitrust violations).

openness of South Carolina markets to competitors under the checklist must be sufficient to address any analogous concerns raised in this proceeding.

2. *Actual Experience with LEC Participation in Adjacent Markets Disproves Theories about Anticompetitive Potential*

BellSouth's inability to raise prices or restrict output as an interexchange carrier in South Carolina is confirmed by over a decade of experience with LEC entry into markets adjacent to the local exchange, including, in some instances, long distance service. As noted earlier, local exchange carriers have competed fairly and effectively where they have been permitted to offer long distance. See supra at 76-78.[62] One would not have expected such competitive benefits

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[62] The same is true of BOC participation in the information services and CPE markets. See Hausman Aff. ¶¶ 33, 40. In that regard, the interexchange carriers have tried in various proceedings to cast BellSouth's introduction of its MemoryCall voice-messaging service as an example of discriminatory conduct. That only shows how bare the record is of any actual wrongdoing. In 1991, the Georgia PSC did find that BellSouth had used improper marketing practices and had discriminated against competing enhanced service providers and ordered a temporary halt to MemoryCall sales. Yet MCI and Sprint, among others, supported BellSouth's successful position before the FCC that the PSC lacked jurisdiction to find a violation where BellSouth had acted in accordance with FCC rules. Petition for Emergency Relief and Declaratory Ruling Filed by the BellSouth Corporation, 7 FCC Rcd 1619 (1992). This Commission later stated that it found the Georgia PSC's finding of improper practices unpersuasive on the merits. Brief for Respondents, California v. FCC, No. 92-70083, at 59-61 (9th Cir. filed July 14, 1993).

Equally meritless are recent claims before this Commission that BellSouth Public Communications ("BSPC"), a wholly-owned subsidiary of BellSouth Telecommunications, Inc., requires its payphone customers to presubscribe to a specific interexchange carrier. Section 276 of the Communications Act and this Commission's payphone orders authorize BSPC to negotiate, select, and contract with interexchange carriers on behalf of its payphone customers. BSPC has mailed letters to its payphone customers advising them of this fact. Nowhere do these materials suggest that location providers must reevaluate, let alone change, their choice of interexchange carrier. To the contrary, BSPC expressly requires that existing carrier contracts be allowed to run their terms unaffected. Nor is there any truth to the assertions that BSPC discriminates against payphone subscribers who do not authorize BSPC to negotiate with based on the self-serving predictions of potential competitors, which were of the same ilk as the arguments they will make in opposing this application.

The New Jersey Corridors. When NYNEX and Bell Atlantic sought permission to operate as interexchange carriers in limited geographic corridors during the early 1980s, the district court credited suggestions that allowing such service would give "the Operating Companies the same incentive to discriminate against new entrants that they had while part of the integrated Bell [s]ystem," and that it "may be tantamount to giving to the Operating Companies a monopoly over certain interstate traffic." United States v. Western Elec. Co., 569 F. Supp. 990, 1018 n.142, 1023 (D.D.C. 1983). Yet these (now merged) Bell companies do not dominate corridor traffic. By AT&T's own count, Bell Atlantic has less than 20 percent of the corridor business. AT&T Waiver Petition at 3. AT&T and MCI have sought authority to lower their long distance rates in the corridors while they raise them elsewhere, not because of any leveraging of local "bottlenecks," but rather because their prices are being undercut. See AT&T Waiver Petition at 5; MCI Comments at 3. Disproving the predictions of potential competitors, Bell Atlantic and NYNEX have benefitted consumers by lowering prices.

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interexchange carriers on their behalf. BSPC does impose a $15 fee on a small minority of its payphones that generate insufficient traffic to recover costs. BSPC anticipates that, when authorized to do so, it will be able to make up the shortfall on these payphones by negotiating with an interexchange carrier to carry the traffic from the Business Payphones. But where the location provider chooses to select an interexchange carrier itself, BSPC is unable to cover the costs of the payphone. BSPC thus decided to offer its Business Payphone Service on a two-tier basis and to charge a monthly fee of $15 to location providers who elect not to appoint, or are precluded by contract from appointing, BSPC as their agent. This two-tier system is entirely consistent with the letter and the spirit of section 276 and with this Commission's payphone orders.

SNET in Connecticut. Similarly, all the evidence suggests that SNET's competitive success in Connecticut is due to its low prices — currently 17-18 percent lower than AT&T's — not to any anticompetitive behavior. See Hausman Aff. ¶¶ 16, 22, 41. AT&T does not allege that SNET has gained market share through anticompetitive conduct, but rather attributes SNET's success to lower prices. Id.; see also Gilbert ¶ 53 (no complaints against SNET or Frontier Communications). Moreover, competition between SNET and AT&T is vigorous, leading AT&T to ask for permission to reduce prices along with SNET in order to preserve its market share. See supra pp. 76-77.

GTE/Sprint. GTE's ownership of Sprint proves the same point on a larger scale. See Gilbert Aff. ¶¶ 51-52. As the fourth largest local exchange carrier and the incumbent carrier across large geographic areas, GTE had the same theoretical incentives to impede interexchange competition as would a Bell company entering the long distance market today. See United States v. Western Elec. Co., 993 F.2d at 1579 (explaining relevance of GTE experience). Indeed, when seeking to place conditions on GTE's purchase of Sprint in 1984, the Department of Justice argued that because GTE "provide[d] in the same market both local monopoly telecommunications services and competitive long distance services, it" necessarily would have "the incentive and ability to foreclose or to impede competition in the competitive (or potentially competitive) market by discriminating in favor of its own long distance carrier." United States v. GTE Corp., 603 F. Supp. 730, 732 (D.D.C. 1984).

Yet after the acquisition went through, Sprint never was able to accumulate disproportionate market share in areas served by a GTE telephone company. The Department of

Justice found no pattern of discrimination by GTE in favor of Sprint, Gilbert Aff. ¶ 52, and even AT&T and MCI have had to concede that GTE's monopoly power in the local exchange never enabled it to "achieve market power" in its in-region interLATA market.[63] As further evidence of its inability to earn monopoly profits in the long distance business, GTE sold Sprint in three installments between 1986 and 1992. Gilbert ¶ 51. GTE recently entered long distance as a new entrant — in the same way that BellSouth will enter — and has competed effectively with AT&T not through any anticompetitive conduct but rather through residential prices that are 17.2 percent lower. Hausman Aff. ¶ 23.

Cellular Services. Experience with LEC participation in cellular services provides another good example. See Hausman Aff. ¶¶ 33, 40. Given that cellular carriers and interexchange carriers have similar local interconnection requirements, Bell companies have had essentially the same incentive and ability to act anticompetitively against rival cellular carriers as they would have to act anticompetitively against other interexchange carriers in in-region states. As with interexchange services, moreover, predictions of future harm to the public interest preceded Bell company participation in the cellular business. See, e.g., 825-845 MHZ Inquiry, 86 F.C.C.2d at 469, 530-31, 540-43, 550-51, 643 (summarizing comments of Millicom, Telocator, and the Department of Justice).

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63. MCI's Initial Comments to the Department of Justice Concerning the Motion to Vacate the Judgment and NYNEX's Request to Provide Interexchange Service in New York State at 58, United States v. Western Electric Co., No. 82-0192 (D.D.C., Dec. 9, 1994); see AT&T's Opposition to the Four RBOCs' Motion to Vacate the Decree, United States v. Western Electric Co., No. 82-0192, at 159 (D.D.C. Dec. 7, 1994).

Yet, this theoretical incentive of wireline carriers to inhibit cellular growth has not created any actual problems. The Commission has confirmed "the infrequency of interconnection problems" between local exchange carriers and unaffiliated cellular providers. Eligibility for the Specialized Mobile Radio Servs., 10 FCC Rcd 6280, 6293, ¶ 22 (1995). Indeed, "the wireless communications business is one in which relatively small, entrepreneurial competitors have often been as successful as . . . the BOCs." Applications of Craig O. McCaw and AT&T Co., 9 FCC Rcd at 5861-62, ¶ 38.

The Bell companies, who would know if incumbent local telephone companies could give their cellular affiliates an unfair competitive edge, have invested heavily in cellular systems that compete with the incumbent LEC's systems. BellSouth, for instance, competes against an incumbent LEC's wireless affiliate in Hawaii, California, Illinois, and Indiana. Such investments would never be made if Bell companies really believed that LECs can frustrate fair competition. Even AT&T effectively has agreed that the Bell companies have no ability to overwhelm competitors in wireless; it bought the nation's largest cellular carrier and has invested billions more for PCS licenses, investments that would not make sense if the incumbent LEC had a clear edge.

E. The Effect of BellSouth's Entry on Local Competition

Even if the Commission follows the policy suggested in its Michigan Order and focuses primarily on local competition, it should find that approving BellSouth's application is in the public interest. The expert agency on local telecommunications in South Carolina found that allowing BellSouth into long distance "will create real incentives for the major [interexchange carriers] to enter the local market rapidly in South Carolina, because they will no longer be able to pursue other opportunities secure in the knowledge that [BellSouth] cannot invade their market until they build substantial local facilities." Compliance Order at 67. The SCPSC's thoroughly researched conclusion is consistent with common sense, economic theory,[64] and the findings of other State commissions. For example, the Oklahoma Corporation Commission has informed this Commission that "once full long distance competition is opened up in Oklahoma, the major competitive providers of local exchange service will take notice and adjust their respective business plans to move Oklahoma closer to the top of their schedules, resulting in faster and broader local exchange competition for Oklahoma consumers."[65]

Approving BellSouth's application, moreover, would provide the Big Three long distance carriers with the ability to compete more effectively as CLECs. These carriers are temporarily prohibited from bundling any wholesale services they obtain from BellSouth in South Carolina with interLATA services. BellSouth's entry will have the beneficial effect of "releas[ing] the interexchange carriers from the current prohibition under the Act against the joint packaging of local and long distance service." Compliance Order at 6; 47 U.S.C. § 271(e)(1). The result will be the one Congress envisioned: enhanced competition in both local and long distance markets

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64. See Woroch Aff. ¶¶ 17-19, 81-88 (noting incentives of CLECs, absent BellSouth interLATA entry, to "go slow" in South Carolina and to pursue markets that offer greater profit margins); Hausman Aff. ¶ 9 (noting that, following BellSouth interLATA entry, interexchange carriers "and other competitors will be required by competition to respond with competitive offerings").

65. Comments of the Oklahoma Corporation Commission at 11, Application by SBC Communications Inc., Southwestern Bell Telephone Company, and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance for Provision of In-Region, InterLATA Services in Oklahoma, CC Docket No. 97-121 (FCC filed May 1, 1997).

in South Carolina. Conference Report at 1 (Act intended to "ope[n] all telecommunications markets to competition"); see Gilbert Aff. ¶¶ 18-23 (noting benefits to competition and consumers of bundled offerings); Hausman Aff. ¶ 7 (same).

The Act's prohibition on bundling by the major carriers pending BellSouth's interLATA entry is in fact the only barrier remaining to full local competition in South Carolina. "[A]ll procompetitive entry strategies are available to new entrants" in the State[66] and the SCPSC has confirmed that the current absence of facilities-based local competition is due solely to the business decisions of competitors. Compliance Order at 20. BellSouth has executed agreements with 83 telecommunications carriers in South Carolina. Wright Aff. Attach. WPE-A. The Affidavit of Gary Wright describes the varied backgrounds and business plans of these CLECs and the opportunities available to them. Thirteen CLECs have already ordered services from BellSouth for resale in South Carolina. Wright Aff. ¶ 24. See also Attach. WCE-E. While the orders of some of these companies may well be "test orders," have begun serving customers in substantial numbers. Wright Aff. ¶ 24. See also Ex. WCE-D. As of September 11, 1997, CLECs had captured 1,785 business lines and 573 residential lines from BellSouth in South Carolina. Wright Aff. ¶ 24.

Although their efforts to date have been minimal, and they have not taken "reasonable steps" toward becoming facilities-based providers of residential and business service, CAPS such as ACSI and ITC DeltaCom and cable television companies such as Time Warner already have facilities that could easily be utilized to offer facilities-based telephone exchange service. ACSI,

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66. Michigan Order ¶ 387.

for example, has networks in Columbia, Greenville, Spartanburg and Charleston, while ITC DeltaCom's networks could be used to provide facilities-based telephone exchange service in Beaufort, Charleston, Columbia, Florence, Greenville, Hilton Head, Myrtle Beach, Orangeburg, Spartanburg, and Sumter. Wright Aff. ¶¶ 9-21. See also Attach. WCE-A, WCE-B. A proximity analysis of the networks of ACSI, ITC DeltaCom and Time Warner reveals that if these three competitors chose to compete over their own networks, they would have access to a substantial percentage of BellSouth's South Carolina revenues without having to extend their networks or resort to resale. Wright Aff. ¶ 27. See also Attach. WCE-D (providing confidential figures).

Moreover, because almost one-third of BellSouth's South Carolina business revenues are generated by business customers served by only 5 of the 115 wire centers in the State — in areas covered by the networks of potential facilities-based carriers — the threat of competition from these potential competitors imposes a significant competitive constraint on BellSouth's conduct. Wright Aff. ¶ 26. Indeed, this geographic concentration of revenues means that BellSouth is likely to face facilities-based competition for a large portion of its local business revenues in South Carolina as soon as any one of these potential competitors takes steps toward competing.

The potential competitors who have facilities in place for other businesses, and even those who have none, need not construct any new facilities to compete as facilities-based providers, but rather could order what they need from BellSouth. See supra Part II. BellSouth's interconnection agreements ensure that CLECs will have nondiscriminatory access to all fourteen checklist items not only today, but also in the future. Stacy Performance Aff. ¶¶ 4-17 (performance monitoring provisions); Woroch Aff. ¶¶ 32-33 (adoption of industry standards).

Moreover, if CLECs themselves do not keep track of BellSouth's offerings, state regulators and law enforcement officials certainly will.[67]

As the SCPSC found, therefore, the only thing preventing CLECs from competing fiercely with BellSouth is their incentive to protect long distance profits and pursue more profitable markets.

CONCLUSION

South Carolina consumers have been denied the benefits of competitive interLATA and local markets long enough. The Commission should end that situation, as recommended by the SCPSC, by granting BellSouth relief under section 271. Because BellSouth has satisfied all specific statutory prerequisites to provide interexchange services in South Carolina and such service would be consistent with the public interest, convenience, and necessity, the application should be granted.

[67] See Compliance Order at 65 (approval of BellSouth's application "will not diminish its obligations under sections 251 and 252 of the Act, South Carolina law, FCC and [SCPSC] regulations and its binding interconnection agreements"); Letter from Charles Molony Condon, South Carolina Attorney General, to Federal Communications Commission at 2 (Sept. 5, 1997) (committing resources "to pursue fully any allegation of anti-competitive acts") (App. D at Tab 1A); Woroch Aff. ¶¶ 51-53 (describing SCPSC's procompetitive initiatives).

Respectfully submitted,

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September 30, 1997

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Application by BellSouth Corporation,	)	
BellSouth Telecommunications, Inc., and	)	
BellSouth Long Distance, Inc., for	)	CC Docket No. _________
Provision of In-Region, InterLATA	)	
Services in South Carolina	)	

DECLARATION AND VERIFICATION OF JIM O. LLEWELLYN AND ANTI-DRUG ABUSE ACT CERTIFICATION OF BELLSOUTH CORPORATION

1. I, Jim O. Llewellyn, am a General Attorney at BellSouth Corporation. I am authorized to make this declaration on behalf of BellSouth Corporation.

2. I have reviewed the foregoing Brief in Support of Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in South Carolina, and the materials filed in support of thereof.

3. The information contained in the application has been provided by persons with knowledge thereof. All information supplied in the application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

4. I further certify that BellSouth Corporation is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 25, 1997.

Jim O. Llewellyn

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in South Carolina	)))))))	CC Docket No. __________

DECLARATION AND VERIFICATION OF STEPHEN M. KLIMACEK AND ANTI-DRUG ABUSE ACT CERTIFICATION OF BELLSOUTH TELECOMMUNICATIONS, INC.

1. I, Stephen M. Klimacek, am a General Attorney at BellSouth Telecommunications, Inc., I am authorized to make this declaration on behalf of BellSouth Telecommunications, Inc.

2. I have reviewed the foregoing Brief in Support of Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in South Carolina, and the materials filed in support thereof.

3. The information contained in the application has been provided by persons with knowledge thereof. All information supplied in the application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

4. I further certify that BellSouth Telecommunications, Inc. is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §853a.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 26 1997.

STEPHEN M. KLIMACEK

Sworn to and subscribed before me

this 26 day of September, 1997.

Janice E Padgett

Notary Public

Notary Public, Gwinnett County, GA
My Commission Expires Feb. 19, 2000

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

CC Docket No. ___________

DECLARATION AND VERIFICATION OF JAMES G. HARRALSON AND ANTI-DRUG ABUSE ACT CERTIFICATION OF BELLSOUTH LONG DISTANCE, INC.

1. I, James G. Harralson, am Vice President and General Counsel at BellSouth Long Distance, Inc. I am authorized to make this declaration on behalf of BellSouth Long Distance, Inc.

2. I have reviewed the foregoing Brief in Support of Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in South Carolina, and the materials filed in support thereof.

3. The information contained in the application has been provided by persons with knowledge thereof. All information supplied in the application is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

4. I further certify on behalf of BellSouth Long Distance, Inc. that no party to the application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 26, 1997.

James G. Harralson

<u>CERTIFICATE OF SERVICE</u>

I hereby certify that on this 30th day of September 1997, I caused copies of the Application by BellSouth for Provision of In-Region, InterLATA Services in South Carolina to be served upon the parties on the attached list by hand-delivery.

Austin C. Schlick

SERVICE LIST

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Attachment A

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Appendix A - Volume	2
Appendix A - Volume	3A
Appendix A - Volume	3B
Appendix A - Volume	3C
Appendix A - Volume	3D
Appendix A - Volume	4A
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